

SUPREME COUR OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
CHRISTIAN F. HOLINKA

Plaintiff,

-against-

A.W. CHESTERTON COMPANY,
AMCHEM PRODUCTS, INC.,
 n/k/a RHONE POULENC AG COMPANY,
 n/k/a BAYER CROPSOURCE INC.,
ANCHOR PACKING COMPANY,
AQUA-CHEM, INC.,
BAXTER HEALTHCARE CORPORATION
 Individually and as successor in interest to
 AMERICAN HOSPITAL SUPPLY CORP. and
 AMERICAN SCIENTIFIC PRODUCTS,
BAXTER INTERNATIONAL INC.,
 Individually and as successor in interest to
 AMERICAN HOSPITAL SUPPLY CORP., and
 AMERICAN SCIENTIFIC PRODUCTS,
BECKMAN COULTER, INC.,
CBS CORPORATION, a Delaware Corporation,
 f/k/a VIACOM INC. successor by merger to CBS
 CORPORATION, a Pennsylvania Corporation,
 f/k/a WESTINGHOUSE ELECTRIC
 CORPORATION,
CERTAIN TEED CORPORATION,
CORNING GLASS, k/n/a CORNING INCORPORATED,
E.I. DUPONT DE NEMOURS and COMPANY,
EMPIRE-ACE INSULATION MFG. CORP.,
FISHER SCIENTIFIC INTERNATIONAL INC.,
GARLOCK SEALING TECHNOLOGIES LLC,
 f/k/s GARLOCK INC.,
INGERSOLL-RAND COMPANY,
J.H. FRANCE REFRACTORIES COMPANY,
KEWAUNEE SCIENTIFIC CORPORATION,
LENNOX INDUSTRIES, INC.,
MANORCARE HEALTH SERVICES, INC.,
 d/b/a MANOR CARE, INC., Individually and as
 successor to PRECISION-COSMET COMPANY,
 INC., CENTRAL SCIENTIFIC COMPANY, a
 division of CENCO INCORPORATED,
 CENTRAL SCIENTIFIC COMPANY, a
 division of CENCO INSTRUMENTS
 CORPORATION,
PREMIER REFRACTORIES, INC.,
 f/k/a ADIANCE, INC., f/k/a BMI,
RAPID-AMERICAN CORPORATION,

Index no.: 114120-06

Date Filed: 9/29/06

Plaintiff Designates
New York County as the
Place of Trial

The Basis of Venue is
Defendants' Place of Business

FILED
NOV 13 2006
NEW YORK
COUNTY CLERK'S OFFICE

RHEEM MANUFACTURING COMPANY, INC.,
Individually and as successor to RHEEM
MANUFACTURING COMPANY, as
Successor by merger to CIVESTCO, INC.,
UNIVAR USA INC.,
Individually and as successor to VAN
WATERS & ROGERS INC., BRAUN
CHEMICAL COMPANY and
WILL SCIENTIFIC, INC.,
VWR INTERNATIONAL, INC.,

Defendants.

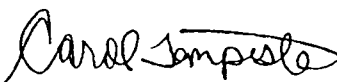
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NOTICE OF BANKRUPTCY

PITTSBURGH CORNING CORPORATION has filed a Petition for Relief under Chapter 11, United States Code, in the United States Bankruptcy Court for the Western District of Pennsylvania. The case has been assigned Case No. 00-22876 JFK. Pursuant to the "Stipulation and Order Relating to Injunction As To Corning Incorporated", all asbestos actions against CORNING INCORPORATED have been stayed by the operation of Chapter 11 United States Code 524 (g), Chapter 11 United States Code 362, and Chapter 11 United States Code 105. A copy of the "Stipulation and Order Relating to Injunction As To Corning Incorporated" is attached hereto as Exhibit "A".

Respectfully Submitted

**MARKS, O'NEILL O'BRIEN
& COURTNEY, P.C.**

BY: 
Carol M. Tempesta, Esquire
Attorney for CORNING INCORPORATED

Service List

WEITZ & LUXENBERG, P.C.
Attorneys for Plaintiff
180 Maiden Lane
New York, New York 10038

AMCHEM PRODUCTES, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROPSCIENCE INC.
41 State Street
Albany, New York 11207

AQUA-CHEM, INC.
7800 North 113th Street
Milwaukee, WI 53224

BAXTER HEALTHCARE CORPORATION,
Individually and as successor in interest to
AMERICAN HOSPITAL SUPPLY CORP. and
AMERICAN SCIENTIFIC PRODUCTS
1 Baxter Parkway
Deerfield, IL 60015

CBS CORPORATION, a Delaware Corporation,
f/k/a VIACOM INC. successor by merger to CBS
CORPORATION, A Pennsylvania Corporation,
f/k/a WESTINGHOUSE ELECTRIC
CORPORATION
Asbestos Litigation Support Manager
ECKERT SEAMANS CHERIN & MELLOTT,
LLC
Case Management & Technology Center
Usx Towers
600 Grant Street
Pittsburgh, PA 15219

FISHER SCIENTIFIC INTERNATIONAL INC.
One Liberty Lane
Hampton, New Hampshire 03842

PEHLIVANIAN, BRAATEN & PASCARELLA
Attorneys for INGERSOL-RAND COMPANY
2430 Route 34
Manasquan, NJ 08736

A. W. CHESTERTON COMPANY
Joseph E. Riley
225 Fallon Road
Stoneham, MA 02180

SEGAL McCAMBRIDGE SINGER &
MAHONEY, Ltd.
Attorneys for ANCHOR PACKING COMPANY
830 Third Avenue, Suite 400
New York, NY 10022

CERTAIN TEED CORPORATION
ANDERSON, KILL & OLICK
1251 Avenue of the Americas
New York, NY 10020

BAXTER INTERNATIONAL INC.,
Individually and as successor in interest to
AMERICAN HOSPITAL SUPPLY CORP. and
AMERICAN SCIENTIFIC PRODUCTS
1 Baxter Parkway
Deerfield, IL 60015

E.I. DUPONT DE NEMOURS and COMPANY
1007 Market Street
Room 8042
Wilmington, Delaware 19898

SEGAL McCAMBRIDGE SINGER &
MAHONEY, Ltd.
Attorneys for 10022 GARLOCK SEALING
TECHNOLOGIES LLC, f/k/a GARLOCK INC.
830 Third Avenue, Suite 400
New York, NY CT Corporation Systems

J.H. France Refractories Company
Special Claims Services, Inc.
809 Coshocton Avenue
Suite 1
Mount Vernon, Ohio 43050-1931

KEWAUNEE SCIENTIFIC CORPORATION
2700 West Front Street
Statesville, NC 28677

LENNOX INDUSTRIES, INC.
80 State Street
Albany, New York 12207

MANORCARE HEALTH SERVICES, INC., d/b/a
MANOR CARE, INC., Individually and as
successor to PRECISION-COSMET COMPANY,
INC., CENTRAL SCIENTIFIC COMPANY, a
division of CENCO INCORPORATED;
CENTRAL SCIENTIFIC COMPANY, a division
of CENCO INSTRUMENTS CORPORATION
333 Summit Street
P.O. Box 10086
Toledo, Ohio 43669-0086

PREMIER REFRACTORIES, INC., f/k/a
ADIENCE, INC., f/k/a BMI
Special Claims Services, Inc.
809 Coshocton Avenue, Suite 1
Attention: Donald E. Ward, President
Mount Vernon, Ohio 43050

RAPID-AMERICAN CORPORATION
2711 Centerville Road
Wilmington, DE 19808

RHEEM MANUFACTURING COMPANY, INC.,
Individually and as successor to RHEEM
MANUFACTURING COMPANY, as successor by
merger to CIVESTCO, INC.
405 Lexington Avenue
22nd Floor
New York, New York 10174-0307

UNIVAR USA INC.,
Individually and as successor to VAN WATERS &
ROGERS INC., BRAUN CHEMICAL
COMPANY and WILL SCIENTIFIC, INC.
6100 Carillon Point
Kirkland, WA 98033

AFFIDAVIT OF MAILING

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

Regina Tisellano, being duly sworn deposes and says: I am not a party to the action, am over 18 years of age and reside at Mount Kisco, New York.

On the 6th day of November, 2006, I served a true copy of the annexed **NOTICE OF BANKRUPTCY**, by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known addresses on the Service List attached hereto


Regina Tisellano

Sworn to before me on the
6th day of November, 2006.


NOTARY PUBLIC

Martha Agio
Notary Public, State of New York
No. 01AG6039317
Qualified in Rockland County
Commission Expires Mar. 27, 2010

EXHIBIT A

COPY

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:)	
)	Case No. 00-22876 JKF
PITTSBURGH CORNING CORPORATION,)	
)	Chapter 11
Debtor.)	
<hr/>		
PITTSBURGH CORNING CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	Adv. Proc. No. 00-2161 JKF
)	
JERRY SONNIER, et al.,)	
)	
Defendants.)	

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STIPULATION AND ORDER
RELATING TO INJUNCTION AS TO CORNING INCORPORATED

WHEREAS, pursuant to the Order of Court Extending Injunction as to Corning Incorporated ("Corning"), dated August 16, 2002 (the "August 16, 2002 Order"), the Court extended the Injunction (as hereinafter defined) as to Corning, through and including January 22, 2003; and

WHEREAS, Corning, Pittsburgh Corning Corporation (the "Debtor" or "PCC"), the Official Committee of Unsecured Asbestos Creditors (the "ACC"), and Lawrence Fitzpatrick, Legal Representative for the Future Asbestos Claimants (the "Futures Representative") entered into a tentative agreement pursuant to which Corning will contribute to the funding of the Debtor's plan of reorganization (the "Conditional Agreement"); and

WHEREAS, pursuant to the Conditional Agreement, the parties have agreed to maintain the status quo, which requires that the Injunction (as hereinafter defined) be reinstated

in all respects, be expanded to include the Corning Asbestos Actions (as defined in the Motion For Expedited Hearing On Motion To Approve Stipulation and Order Relating to the Injunction As To Corning Incorporated (the "Motion")), and be extended through and including thirty (30) days after the effective date of a plan of reorganization in this case (with all material terms in accordance with the Conditional Agreement) that is no longer subject to appeal or to discretionary appellate review.

THEREFORE, it is hereby:

ORDERED that the Shareholder Injunction (as defined by this Court's April 18, 2001 Order) entered by this Court on April 16, 2000 (the "Injunction"), as extended by the May 2, 2000 Order of Court; by the June 9, 2000 Order Approving Stipulation Extending Injunctive Relief; by the August 15, 2000 Stipulation to Extend the Stipulation and Order Entered June 9, 2000 Extending Injunctive Relief; by the December 5, 2000 Stipulation to Further Extend Stipulation and Order Entered June 9, 2000 Extending Injunctive Relief; by the Order of Court dated April 18, 2001 further extending the Shareholder Injunction until August 23, 2001; by the Order Terminating Exclusivity and Extending Injunction dated July 25, 2001; by the Order Extending Injunction dated November 14, 2001; by the Order Extending Injunction dated December 11, 2001; by the Order Extending Injunction dated February 12, 2002; by the Order Extending Injunction dated April 11, 2002; by the Order Extending Injunction dated May 16, 2002; by the Order Extending Injunction, dated June 14, 2002; by the Order Extending Injunction, dated July 1, 2002; by the Order Extending Injunction, dated July 8, 2002 and by the Order of Court Extending Injunction as to Corning Incorporated, dated August 16, 2002, by the Stipulation and Order Reinstating and Extending Injunction as to Corning Incorporated dated December 24, 2002, and by the Stipulation and Order Extending Injunction

as to Corning Incorporated dated January 15, 2003, except as modified herein or in prior orders of this Court, shall be and is hereby reinstated, in all respects, as to Corning, and shall remain in full force and effect as to Corning, shall be and is hereby expanded to include the Corning Asbestos Actions (as defined in the Motion); provided, however, that the injunction shall not apply to any action alleging an asbestos-related injury or disease relating to Corhart in which Corning has not retained or assumed legal responsibility, nor shall it apply to any actions against Corhart for asbestos products, if any, for which Corhart maintains insurance which cannot be accessed by Corning, and shall be and is hereby extended through and including thirty (30) days after the effective date of a plan of reorganization (with all material terms in accordance with the Conditional Agreement) that is no longer subject to appeal or to discretionary appellate review, and all other deadlines contained in the Injunction are accordingly extended.

ORDERED that Corning shall serve a copy of this Stipulation and Order Relating to Injunction as to Corning Incorporated on the Service List Effective 02/18/03, persons requesting notice in this case and parties to the above-captioned adversary proceeding.

BY THE COURT:

Date: _____

Judith K. Fitzgerald
United States Bankruptcy Judge


Consented to:

PITTSBURGH CORNING
CORPORATION

CORNING INCORPORATED

Paul M. Singer (PA ID # 00286)
James J. Restivo, Jr. (PA ID # 10113)
David Ziegler (PA ID # 37527)
Reed Smith, LLP
435 Sixth Avenue
Pittsburgh, PA 15219
(412) 288-3131

Andrew M. Burns
Nixon Peabody LLP
Clinton Square
Rochester, NY 14604
(585) 263-1091
and
Kimberly Luff Wakim (PA ID #55542)
Elene Mountis Moran (PA ID #76077)
Thorp Reed & Armstrong, LLP
301 Grant Street, 14th Floor
Pittsburgh, PA 15219-1425
(412) 394-7728

By: 

By: _____

ORDERED that Corning shall serve a copy of this Stipulation and Order Relating to Injunction as to Corning Incorporated on the Service List Effective 02/18/03, persons requesting notice in this case and parties to the above-captioned adversary proceeding.

BY THE COURT:

Date: 4/22/03

J. K. Fitzgerald
Judith K. Fitzgerald
United States Bankruptcy Judge

Consented to:

PITTSBURGH CORNING
CORPORATION

Paul M. Singer (PA ID # 00286)
James J. Restivo, Jr. (PA ID # 10113)
David Ziegler (PA ID # 37527)
Reed Smith, LLP
435 Sixth Avenue
Pittsburgh, PA 15219
(412) 288-3131

By: _____

CORNING INCORPORATED

Andrew M. Burns
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Clinton Square
Rochester, NY 14604
(585) 263-1091
and
Kimberly Luff Wakim (PA ID #55542)
Elene Mountis Moran (PA ID #76077)
Thorp Reed & Armstrong, LLP
301 Grant Street, 14th Floor
Pittsburgh, PA 15219-1425
(412) 394-7728

By: Andrew Burns

Kimberly Luff Wakim, Esq.
Movant shall immediately serve a copy of this order on all parties listed on the current service list and any other parties in interest and file a certificate of service with the Clerk of the Bankruptcy Court within ten (10) days hereof.

FILED

23
APR 27 2003

JUDITH K. FITZGERALD
BANKRUPTCY JUDGE

OFFICIAL COMMITTEE OF
UNSECURED ASBESTOS CREDITORS


Elihu Inselbuch
Caplin & Drysdale, Chartered
399 Park Avenue, 27th Floor
New York, NY 10022
(212) 319-7125
and
Peter Van N. Lockwood
Caplin & Drysdale, Chartered
One Thomas Circle, N.W.
Washington, DC 20005
(202) 862-5000
and
Douglas A. Campbell (PA ID #23143)
Philip E. Mitch (PA I.D. #53519)
Campbell & Levine, LLC
1700 Grant Building
Pittsburgh, PA 15219
(412) 261-0310

By: _____

FUTURE CLAIMANTS' REPRESENTATIVE

James L. Patton, Jr., Esq.
Edwin J. Harron, Esq.
YOUNG Conaway Stargatt & Taylor, LLP
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 291
Wilmington, DE 19899
(302) 571-6600
and
Joel M. Helmrich, Esq.
Meyer Unkovic & Scott, LLP
1300 Oliver Building
Pittsburgh, PA 15222
(412) 456-2841

Counsel for the Future Claimants' Representative

By: 

cc: David Ziegler
Reed Smith LLP
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Pittsburgh, PA 15219
(412) 288-3026
(412) 288-3063 (facsimile)

Kimberly Luff Wakim
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301 Grant Street, 14th Floor
Pittsburgh, Pennsylvania 15219-1425
(412) 394-7728
(412) 394-2555 (facsimile)

Index No. 114120

Year 2006

RJ No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

CHRISTIAN F. HOLINKA,

Plaintiff

-against-

A.W. CHESTERTON COMPANY, AMCHEM PRODUCTS, INC., n/k/a RHONE POULENC AG COMPANY, n/k/a BAYER CROPSOURCE INC., ANCHOR PACKING COMPANY, AQUA-CHEM, INC., BAXTER HEALTHCARE CORPORATION Individually and as successor in interest to AMERICAN HOSPITAL SUPPLY CORP. and AMERICAN SCIENTIFIC PRODUCTS, BAXTER INTERNATIONAL INC., Individually and as successor in interest to AMERICAN HOSPITAL SUPPLY CORP., and AMERICAN SCIENTIFIC PRODUCTS, BECKMAN COULTER, INC., CBS CORPORATION, a Delaware Corporation, f/k/a VIACOM INC. successor by merger to CBS CORPORATION, a Pennsylvania Corporation, f/k/a WESTINGHOUSE ELECTRIC CORPORATION, CERTAIN TEED CORPORATION, CORNING GLASS, k/n/a CORNING INCORPORATED, E.I. DUPONT DE NEMOURS and COMPANY, EMPIRE-ACE INSULATION MFG. CORP., FISHER SCIENTIFIC INTERNATIONAL INC., GARLOCK SEALING TECHNOLOGIES LLC, f/k/s GARLOCK INC., INGERSOLL-RAND COMPANY, J.H. FRANCE REFRACTORIES COMPANY, KEWAUNEE SCIENTIFIC CORPORATION, LENNOX INDUSTRIES, INC., MANORCARE HEALTH SERVICES, INC., d/b/a MANOR CARE, INC., Individually and as successor to PRECISION-COSMET COMPANY, INC., CENTRAL SCIENTIFIC COMPANY, a division of CENCO INCORPORATED, CENTRAL SCIENTIFIC COMPANY, a division of CENCO INSTRUMENTS CORPORATION, PREMIER REFRACTORIES, INC., f/k/a ADIANCE, INC., f/k/a BMI, RAPID-AMERICAN CORPORATION, RHEEM MANUFACTURING COMPANY, INC., Individually and as successor to RHEEM MANUFACTURING COMPANY, as Successor by merger to CIVESTCO, INC., UNIVAR USA INC., Individually and as successor to VAN WATERS & ROGERS INC., BRAUN CHEMICAL COMPANY and WILL SCIENTIFIC, INC., VWR INTERNATIONAL, INC.,

Defendants.

NOTICE OF BANKRUPTCY

UNITED LAWYERS

MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.

Attorneys for Defendants, CORNING GLASS, k/n/a CORNING INCORPORATED

Office and Post Office Address, Telephone

530 Saw Mill River Road

Elmsford, New York 10523

(914) 345-3701

To

Signature (Rule 130-1.1-a)

Print name beneath

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Please take notice

☐ NOTICE OF ENTRYthat the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on☐ NOTICE OF SETTLEMENTthat an order
settlement to the HON.
of the within named court, atof which the within is a true copy will be presented for
one of the judges

on

at

M

Dated,

Yours, etc.

MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.

Office and Post Office Address

530 Saw Mill River Road

Elmsford, New York 10523